

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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| DELAWARE MARKETING PARTNERS, LLC, a Delaware limited liability company, Plaintiff v. CREDITRON FINANCIAL SERVICES, INC, a Pennsylvania corporation, and, TELATRON MAKETING GROUP, INC., a Pennsylvania corporation, Defendants | CA No.: 04-263 JUDGE McLAUGHLIN AND MAGISTRATE JUDGE SUSAN PARADISE BAXTER TRIAL BY JURY DEMANDED <u>Electronically Filed</u> |
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RESPONSE TO ORDER TO SHOW CAUSE

AND NOW, comes the Plaintiff, by and through its attorneys, Dickie, McCamey & Chilcote, P.C., and files the following Response to Order to Show Cause as follows:

1. On February 28, 2006 this Court entered an Order directing Plaintiff to show cause for failing to file a pre-trial statement.
2. On November 9, 2005 this Court entered a Revised Case Management Order which directed that discovery conclude by December 26, 2005.
3. On November 17, 2005, Plaintiff filed a Motion to Compel Discovery Responses pertaining to Defendants' outstanding discovery responses to Plaintiff's discovery requests. On November 30, 2005 this Court entered an Order that Defendants would have until December 9, 2005 to respond to the Motion to Compel.
4. On December 9, 2005 Defendants responded to the Motion to Compel. Thereafter, on December 12, 2005 the Court entered an Order that Defendants had until January

13, 2006 to respond to Plaintiff's discovery requests. The Order did not address any other deadlines set forth in the November 9, 2005 Revised Case Management Order.

5. On Friday, January 13, 2006 Defendants Provided Answers to Plaintiff's First Set of Interrogatories and Requests for Production of Documents. Further, on Friday, January 13, 2006 Defendants forwarded documents in response to the Requests for Production which Plaintiff's counsel received on Tuesday January 17, 2006.

6. Based upon the above noted January 13, 2006 Order which extended discovery from December 26, 2005 to January 13, 2006 but did not address other dates set forth in the existing Case Management Order, Plaintiff was uncertain as to the date for filing the pre-trial statement. The parties, by their respective counsel, however, discussed and agreed to a revised Case Management Order which permits the filing of Plaintiff's pre-trial statement on July 24, 2006. The parties Consented to Motion to Revise Case Management Order in this regard was filed with the Court on March 1, 2006.

7. Further, the parties have agreed and determined that they need additional time to facilitate discovery in this matter. This is also addressed in the Consented to Motion to Revise Case Management Order.

WHEREFORE, the Plaintiff respectfully submits this Response to the Court's Order dated February 28, 2006 and requests that the Consented to Motion to Revise Case Management Order be granted.

Respectfully submitted,

DICKIE, McCAMEY & CHILCOTE, P.C.

By /s/ Steven W. Zoffer
Steven W. Zoffer, Esq. (PA ID # 62497)
Brett W. Farrar, Esq. (PA. I.D. #79217)

Two PPG Place, Suite 400
Pittsburgh, PA 15222-5402
(412) 281-7272
Attorneys for Plaintiff

Dated: March 3, 2006